

Message Text

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AMEMBASSY MAPUTO
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C O N F I D E N T I A L LONDON 14006

E.O. 11652: GDS
TAGS: PDEV, UK, RH, UN
SUBJECT: RHODESIA: COMMENT ON THE BINGHAM REPORT

REF: LONDON 13877

1. THE BINGHAM REPORT ON VIOLATIONS OF RHODESIA OIL
SANCTIONS, AND PARTICULARLY THAT PORTION WHICH LEAKED TO
THE SUNDAY TIMES (REFTEL), WILL FIGURE HIGH ON THE AGENDA
WHEN THE CABINET REASSEMBLES HERE SEPTEMBER 7 FOR THE
FIRST TIME IN MORE THAN A MONTH. WITH PARLIAMENT AND
MOST OF LONDON IN RECESS, THE POLITICAL EXPLOSION THE
REPORT MIGHT OTHERWISE HAVE SPARKED IS AT LEAST FOR THE
MOMENT RELATIVELY MUFFLED. STILL, THE PROBLEM THREATENS
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THE PRIME MINISTER AND THE CABINET FROM SEVERAL QUARTERS
AND IS LIKELY IN THE WEEKS AHEAD TO BE THE SUBJECT OF
CONSIDERABLE SPECULATION IN PRIVATE AND PUBLIC AMONG
POLITICIANS AND THE PRESS.

2. THE MOST DAMAGING ASPECT OF THE BP SUBMISSION IS ITS
APPARENT ADMISSION THAT A UK-REGISTERED FIRM, SHELL

MOZAMBIQUE, KNOWINGLY VIOLATED SANCTIONS AGAINST RHODESIA, AND THAT SENIOR EXECUTIVES IN BP COLLUDED IN AND/OR IGNORED OTHER ARRANGEMENTS TO VIOLATE SANCTIONS. WE DO NOT KNOW WHETHER THE BINGHAM REPORT RECOMMENDS A COURSE OF ACTION TO DAVID OWEN, BUT UNLESS THE IMPLICATIONS OF THE SUNDAY TIMES ARTICLE ARE CLARIFIED, PRESSURE TO TURN OVER THE CASE TO THE DEPUTY PUBLIC PROSECUTOR WILL GROW.

3. AS THIS PRESSURE GROWS SO WILL THE DEMANDS THAT THE BINGHAM REPORT BE PUBLISHED. IF THE REPORT IS NOT TURNED OVER TO THE DPP, THE GOVERNMENT COULD DEFEND A DECISION NOT TO PUBLISH BECAUSE OF TWO OTHER RELATED CASES NOW BEFORE THE COURTS (THE CHARGES OF LONRHO AGAINST 23 COMPANIES AND THE ZAMBIA GOVERNMENT'S CASE IN LUSAKA). PUBLICATION OF THE BINGHAM REPORT COULD PREJUDICE THE OUTCOME OF THESE TWO PROCEEDINGS. YET A DECISION NOT TO PUBLISH, NO MATTER HOW JUSTIFIABLE LEGALLY, WOULD PROBABLY BE SEEN AT HOME AND ABROAD AS A CRUDE COVER-UP.

4. IT IS DIFFICULT TO ESTIMATE WHAT POLITICAL IMPACT THE REPORT MAY HAVE HERE, PARTICULARLY IN THIS SENSITIVE PERIOD WHICH MOST OBSERVERS REGARD AS A PRELUDE TO A GENERAL ELECTION IN OCTOBER. MUCH WILL DEPEND ON HOW CALLAGHAN DECIDES TO REACT. SEVERAL LABOR MPS HAVE

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ALREADY CALLED FOR PUBLICATION AND PROSECUTION, PAINTING THE IMAGE OF CONSPIRATORIAL CONGLOMERATES FLAUNTING INTERNATIONAL LAW. BUT WHAT MUST MOST CONCERN CALLAGHAN IS THE TAINT OF POLITICAL SCANDAL IN THE SUNDAY TIMES ARTICLE -- DID THE GOVERNMENT-APPOINTED DIRECTORS ON THE BP BOARD KNOW OF THE VIOLATIONS? DID THE NON-GOVERNMENT MEMBERS WITHHOLD THE INFORMATION FROM THEM? COULD GOVERNMENT MINISTERS HAVE BEEN TOTALLY IN THE DARK? AND WHILE TED HEATH SERVED AS PRIME MINISTER FOR THREE AND A HALF YEARS IN THE EARLY 70'S, RHODESIA HAS BEEN MOSTLY A CRISIS FOR SUCCESSIVE LABOR GOVERNMENTS, AND IT WAS HAROLD WILSON WHO WAS MOST IDENTIFIED WITH SANCTIONS AND EARLY EFFORTS TO FIND A SETTLEMENT. IF THERE IS THE TAR OF SCANDAL, IT WILL LIKELY RUB OFF MORE ON LABOR THAN ON THE TORIES.

5. FINALLY, BOTH CALLAGHAN AND OWEN WILL BE CONCERNED HOW THE SUNDAY TIMES ARTICLE AND THE BINGHAM REPORT, IF PUBLISHED, WILL AFFECT HMG RELATIONS WITH THE FRONTLINE STATES, NIGERIA, AND THE PATRIOTIC FRONT. THE REVELATIONS ARE BOUND TO REINFORCE AFRICAN SUSPICIONS ABOUT BRITISH MOTIVATIONS, BOTH PAST AND PRESENT, AND UNDERCUT

BRITISH CREDIBILITY IN THE CURRENT NEGOTIATING EFFORTS.
ONLY QUICK AND VIGOROUS ACTION BY HMG COULD HELP DISPEL
THE DISTRUST.

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